

ANALYSIS AND FINDINGS FOR TREE PLAN THREE APPROVAL

Cascade Plaza Retail Expansion, TP2004-0025

Section 40.90.05 states the following purpose for Tree Plans:

The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of significant and historic tree and grove, landscape tree, street tree, and community trees thus helping to preserve and enhance the sustainability of the City's urban forest. This Section is carried out by the approval criteria listed herein.

Section 40.90.15.3.C Approval Criteria

In order to approve a Tree Plan Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Tree Plan Three application.*

Section 40.90.15.3.A Threshold: An application for Tree Plan Three shall be required when none of the actions listed in Section 40.90.10 or none of the thresholds listed in Section 40.90.15.1 or Section 40.90.15.2 apply and one or more of the following thresholds apply:

Removal of more than ten (10) Landscape or Street Trees.

The applicant's request to remove seventeen (17) Landscape Trees within the project site is consistent with the above cited threshold.

Therefore, staff find that the criterion is met.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant paid the required associated fees of \$638.00 for a Tree Plan Three application on October 4, 2004.

Therefore, staff find that the criterion is met.

3. ***If applicable, removal of a diseased tree or a tree is necessary because the tree has been weakened by age, storm, fire, or other condition.***

The applicant is requesting removal of seventeen (17) existing Landscape Trees to accommodate the proposed development. Staff find that no removal is needed due to disease or other adverse condition.

Therefore, staff find the criterion is not applicable.

4. ***If applicable, removal is necessary to enhance the health of the tree, grove, or adjacent tree to reduce maintenance, or to eliminate conflicts with structures or vehicles.***

The applicant is requesting removal of existing trees to accommodate for the proposed development. Staff find that no removal is needed due to health, maintenance, or conflict issues of trees on the site.

Therefore, staff find the criterion is not applicable.

5. ***If applicable, removal is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.***

The applicant is requesting removal of existing trees to accommodate the proposed development. Staff find that with this type of removal and replacement, it is not necessary to observe good forestry practices.

Therefore, staff find the criterion is not applicable.

6. ***If applicable, removal is necessary to accommodate development where no reasonable alternative exists for the development at another location on the site, or where variances to setback provisions of the Development Code will not allow the tree to be saved or will cause other undesirable circumstances on the site or adjacent properties.***

The project proposes to remove seventeen (17) Landscape Trees and replace them with twenty-four (24) new Landscape Trees. Staff find the applicant has provided evidence of their efforts to preserve and sufficiently replace as many Landscape Trees as possible. In addition, through the project's mitigation measures and the Facilities Review Committee's recommended tree mitigation conditions of approval, staff find the criteria for approval will be achieved.

Therefore, staff find that the criterion is met.

- 7. *If applicable, removal is necessary because a tree has become a nuisance by virtue of damage to personal property or improvements, either public or private, on the subject site or on an adjacent site, or that pruning in excess of 20 percent of the canopy is required to prevent damage to such improvements or property.***

The applicant is requesting removal of existing trees to accommodate the proposed development. No trees on the site are considered to be a nuisance or involve potential damage to personal or public property.

Therefore, staff find the criterion is not applicable.

- 8. *If applicable, removal is necessary to accomplish a public purposes, such as installation of public utilities, street widening, and similar needs where no reasonable alternative exists without significantly increasing public costs or reducing safety.***

The applicant is requesting removal of existing trees to accommodate the proposed development. No trees on the site are considered to be for a public purpose.

Therefore, staff find the criterion is not applicable.

- 9. *Removal of a tree or grove shall not increase erosion or resulting erosion shall be controlled consistent with City and Clean Water Services regulations.***

Removal of the trees should not significantly increase the amount of erosion on the site. However, the applicant will need to take all precautionary measures to ensure erosion will be minimized and captured appropriately depending on the season. All erosion will be controlled and consistent with City and Clean Water Services regulations.

Therefore, staff find that by satisfying the conditions of approval, the criterion is met.

- 10. *If applicable, removal of a tree within a SNRA will not substantially reduce the significance of the natural resource.***

Staff find that there are no Significant Natural Resource Areas are located on the site as identified by the City's SNRA maps.

Therefore, staff find that the criterion is not applicable.

- 11. If applicable, removal of a Significant Tree or tree within a Significant Grove will not eliminate the significance of the grove based upon the original Significant Tree and Grove Inventory analysis.***

The applicant is requesting removal of existing trees to accommodate the proposed development. All trees proposed to be removed are considered Landscape Trees and there are no Significant Trees or Groves on-site.

Therefore, staff find that the criterion is no applicable.

- 12. If applicable, removal of a tree or trees within a SNRA will not reduce the size of the grove to a point where the remaining trees may pose a safety hazard due to the effects of windthrow.***

The site is not designated as a Significant Natural Resource Area, therefore staff find the criterion for approval is not applicable.

Therefore, staff find that the criterion is not applicable.

- 13. If applicable, removal of tree or trees within a Significant Grove will not reduce the size of the grove to a point where the remaining trees may pose a safety hazard due to the effects of windthrow.***

The applicant is requesting removal of existing trees to accommodate the proposed development. All trees proposed to be removed are considered Landscape Trees and there are no Significant Groves on-site.

Therefore, staff find that the criterion is not applicable.

- 14. If applicable, removal of a tree within a Historic Grove will not substantially reduce the significance of the grove in terms of its original designation on the list of Historic Groves.***

The site does not contain a Historic Grove.

Therefore, staff find that the criterion is not applicable.

- 15. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted the required application materials for review of a Tree Plan. This review process is a required step to receive City approval for the applicant's proposal. The applicant has submitted four (4) additional applications including: Design Review (DR2004-0078); Major Adjustments ADJ2004-0010, ADJ2004-0011; and a Parking Determination (PD2004-0006). Because the applications are being reviewed concurrently the Board of Design Review will review all applications through the same project review schedule. Staff find that the applications and documents related to the request has been submitted in proper sequence.

Therefore, staff find that the criterion is met.

TREE PLAN CONCLUSION

Based on the facts and findings presented, staff conclude the proposal, **TP2004-0025 (Cascade Plaza Retail Expansion)**, meets the Major Adjustment Three criteria of Development Code Section 40.90.15.3.C for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2004-0025 (Cascade Plaza Retail Expansion)**, subject to the conditions of approval identified in the Conditions of Approval, Attachment G.